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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,130	06/27/2003	Kai O. Ullrich	37874-079	6685
64280	7590	08/09/2007		
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. 9255 TOWNE CENTER DRIVE SUITE 600 SAN DIEGO, CA 92121				
			EXAMINER WYSZYNSKI, AUBREY H	
			ART UNIT 2134	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/609,130

Applicant(s)

ULLRICH, KAI O.

Examiner

Aubrey H. Wyszynski

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/4/07 has been entered.
2. Claims 1-19 are pending.

Response to Amendment

3. The Declaration under 37 C.F.R. § 1.131 filed on 5/4/07 under 37 CFR 1.131 is sufficient to overcome the Busboom reference. Therefore, all rejections under the Busboom reference have been withdrawn.

Response to Arguments

4. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2134

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 and 10-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson et al., U.S. Patent Application Publication Number 2002/0053023, and further in view Blakley III et al, U.S. Patent No. 7,039,714.

Regarding claim 1, Patterson discloses computer-implemented method of providing content in a portal (fig. 4, #80 and ¶[0048], lines 1-3), the method comprising: receiving a request from a user for a portal content component (fig. 7, #S1 and ¶[0055]); and determining whether the user has satisfied a previous authentication requirement for the portal that is equal to or greater than an authentication requirement for the portal content component (fig. 7, #S3-S4). Patterson lacks or does not expressly disclose wherein the portal content component is one of a plurality of portal content components and at least two of the portal content components have different authentication requirements. However, Blakley discloses wherein the portal content component is one of a plurality of portal content components and at least two of the portal content components have different authentication requirements (fig. 3 and col. 1, line 44-col. 2, line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Patterson with the device of Blakley to provide a plurality of different authentication mechanism for authenticating the user to heighten security as taught by Blakley (fig. 3 and col. 1, line 44-col. 2, line 24).

Regarding claim 2, Patterson further discloses if the previous authentication requirement is less than the authentication requirement for the portal content component, providing an authentication mechanism according to the authentication requirement for the portal content component (fig. 7, #S6-S8 and fig. 9, #S20-S21).

Regarding claim 3, Patterson further discloses if the previous authentication requirement is equal to or greater than the authentication requirement for the portal content component, displaying the requested portal content component (fig. 8A-B, #S10-S12).

Regarding claims 4-5, Patterson discloses the method in accordance with claim 1 but Patterson lacks or does not expressly disclose wherein each authentication requirement is defined by a weight. However, Blakley discloses wherein each authentication requirement is defined by a weight (fig. 3 and col. 1, line 44-col. 2, line 24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Patterson with the device of Blakley to define a strength or priority to the authentication requirements in order to define a particular level of security according to the service provider as taught by Blakley (fig. 3 and col. 1, line 44-col. 2, line 24).

Regarding claim 6, Patterson further discloses displaying a logon component of the authentication mechanism (¶[0021]).

Regarding claims 7-8, Patterson discloses a computer-implemented method of providing content in a portal (fig. 4, #80 and ¶[0048], lines 1-3), the method comprising: receiving a request from a user to access the portal; and in response to the request (fig. 7, #S1 and ¶[0055]). Patterson lacks or does not expressly disclose providing a selected one of a plurality of authentication mechanisms for authenticating the user and enabling access to the portal, wherein each authentication mechanism includes a different authentication requirement. However, Blakley discloses providing a selected one of a plurality of authentication mechanisms for authenticating the user and enabling access to the portal, wherein each authentication mechanism includes a different authentication requirement (fig. 3 and col. 1, line 44-col. 2, line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Patterson with the device of Blakely to provide a plurality of authentication mechanism for authenticating the user to heighten security as taught by Blakley (fig. 3 and col. 1, line 44-col. 2, line 24).

Regarding claim 10, Patterson further discloses receiving a request from the user for a first portal content component (fig. 7, #S1); and determining whether the user has satisfied a previous authentication requirement for the portal that is equal to or greater than an authentication requirement for the first portal content component (fig. 7, #S2-

S4).

Regarding claim 11, Patterson further discloses if the previous authentication requirement is less than the authentication requirement for the first portal content component, providing an authentication mechanism according to the authentication requirement for the first portal content component (fig. 7, #S6-S8 and fig. 9, #S20-S21).

Regarding claim 12 Patterson further discloses if the previous authentication requirement is equal to or greater than the authentication requirement for the first portal content component, displaying the first portal content component (¶[0021]).

Regarding claims 13-15 and 19, Patterson lacks or does not expressly disclose receiving a request from the user for a second portal content component; and determining whether the authentication requirement for the first portal content component is equal to or greater than an authentication requirement for the second portal content component. However, Blakley discloses receiving a request from the user for a second portal content component and determining whether the authentication requirement for the first portal content component is equal to or greater than an authentication requirement for the second portal content component (fig. 3 and col. 1, line 44-col. 2, line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the device of Patterson with the device of Blakley to access a second portal content and require further authentication

Art Unit: 2134

as a heightened security measure, as taught by Blakley, (fig. 3 and col. 1, line 44-col. 2, line 24).

Claims 16 and 17 are substantially equivalent to claims 4 and 5 and therefore rejected under similar rationale.

Regarding claim 18, Patterson discloses system for providing content in a portal (fig. 4, #80 and ¶[0048], lines 1-3), the system comprising. a portal content directory (fig. 4, #84 & #86 and ¶[0045]) storing a plurality of portal content components, each portal content component having an authentication requirement for access thereto; a portal runtime engine for receiving portal content component requests and for displaying one or more requested portal content components (fig. 4, #82 & #80); and an authenticator/validation system (fig. 4, #80) configured to determine whether the user has satisfied a previous authentication requirement for the portal that is equal to or greater than an authentication requirement for a requested portal content component (fig. 7, #S1-S9). Patterson wherein the portal content component is one of a plurality of portal content components and at least two of the portal content components have different authentication requirements. However, Blakley discloses wherein the portal content component is one of a plurality of portal content components and at least two of the portal content components have different authentication requirements (fig. 3 and col. 1, line 44-col. 2, line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Patterson with the device of

Blakley to provide a plurality of different authentication mechanism for authenticating the user to heighten security as taught by Blakley (fig. 3 and col. 1, line 44-col. 2, line 24).

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson in view of Blakley as applied to claim 8 above, and further in view of Watanabe, U.S. Patent Application Publication Number 2003/0084289.

Regarding claim 9, Patterson in view of Blakley disclose the method in accordance with claim 8, but lack or do not expressly disclose providing the user an option for selecting one of the plurality of authentication mechanisms. However, Watanabe discloses providing the user an option for selecting one of the plurality of authentication mechanisms (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Patterson in view of Blakley with the device of Watanabe to allow the user to select on of a plurality of authentication mechanisms in order to allow the user to be authenticated without causing an authentication error by a specific authentication process, as taught by Watanabe (¶[0011]).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aubrey H. Wyszynski whose telephone number is

Art Unit: 2134

(571)272-8155. The examiner can normally be reached on Monday - Thursday, and alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 5712723811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER

AHW